Utah State Charter School Board Meeting Minutes March 17, 2005 North & South Board Rooms Utah State Office of Education

Members present: Barbara Killpack, David Moss, Eric Smith, Scott Smith, Anne Peterson – via

conference call

Members excused: Brian Allen, Sonia Zisumbo

Staff present: John Broberg, Jo Schmitt

Others present: Steve Kroes, Holly Farnsworth, Monty Hardy, Janene Bowan, Steve Winitzky,

Luann Valentin, Royce VanTassell, Darren Beck, Mark Cluff

1. Call to Order

Member David Moss called the meeting to order at 10:02 a.m.

2. Approval of Minutes

Motion was made by Member Barbara Killpack and seconded by Member Scott Smith to approve the minutes of the February 17, 2005 meeting. The motion carried unanimously.

3. Legislation Report

Refer to report handout furnished by Chair Brian Allen. Director John Broberg stated that the Governor has not signed SB 178 and he has until March 22, but by all reports it will either be signed, or become law without his signature. He also stated that HB 136 passed, however there was a response from the Federal Government stating that if charter schools do give preference of any kind, they are going against charter school law, and therefore they are not allowed to accept federal funds. Right now, all of the charter schools in Utah are part of a federal facilities program, and as long as they are part of that program, they cannot give preference to students. Member Eric Smith raised the concern that charter schools do give preference of sorts now, such as sibling preference and public schools give preference to students in the school's boundaries. He questions how this situation was different. Director John Broberg pointed out that this bill is referring to a federal charter school law not a general education law. Director John Broberg directed the board to the handout from Dean Kern from the US Department of Education.

4. Utah Foundation Report

Steve Kroes and Holly Farnsworth from the Utah Foundation presented an outline of the proposed study for financial impact charter schools are facing. A survey will be administered to all charter schools regarding their greatest level of concern about financial problems and/or challenges. Once the survey is in, a focus group made up of five or six charter school leaders will delve deeper into those issues of financial challenges the schools are facing. Utah Foundation has selected Lincoln Academy and Salt Lake Arts Academy to use as a case study for the report. The Foundation has requested copies of annual financial reports from the state office staff. When that information is received they will begin comparison of charter school funding against traditional school funding. Once the survey is completed, Utah Foundation will select specific concerns for follow-up with issues that seem most important with charter school staff, members of the State Charter School Board and with legislators who are interested in charter schools; to understand their level of understanding with these challenges and what kinds of potential solutions are available to deal with the concerns. The Utah Foundation plans on their report to be ready by June 2005. The report will include analysis of the various potential solutions to the financial

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challenges, without Utah Foundation being an advocate. The report will analyze some of the pros and cons of various solutions. Member Anne Peterson had a question with item "I" in the outline concerning rural district issues. Steve Kroes stated that because of what was passed by legislature in the last session, these concerns may be moot. He also stated that Utah Foundation's assignment in doing this report is not for educational quality but to look into financial challenges facing charter schools. After much discussion, the board stated that this study was for financial challenges that charter schools face and not the financial impact charter schools have on traditional schools.

5. Report on Federal Start-up Grant

Director John Broberg thanked Roberta Hardy and Lisa Putman for putting their time and effort in writing the PCSP Start-up and Dissemination continuation grant. Director John Broberg informed the board that this grant is very competitive and there are 21 states applying for this grant, with only 17 being awarded. He mentioned the concern the US Department of Education has with the State of Utah legislative issues that went against federal charter school laws.

Member David Moss suggested moving agenda item #5 - Retreat Discussion down the agenda, prior to agenda #8 - Executive Session. The board was polled with unanimous vote.

6. Start-up Budgets

Motion was made by Member Barbara Killpack and seconded by Member Eric Smith to accept the startup fund budgets for all qualifying schools. The motion carried unanimously.

7. Charter School Agreement

Director John Broberg informed the board that this document is an agreement that the board enters into with a charter school when its charter is granted. The agreement states that the Governing Board of the charter school is subject to adherence to all requirements set forth in the agreement and in state law. Director John Broberg stated that this agreement is in addition to the assurances that are found in the charter school application. Motion was made by Member Scott Smith and seconded by Member Barbara Killpack to approve the Charter School Agreement. The motion carried unanimously.

8. Board Retreat

The date for the State Charter School Board retreat was set for April 13, 2005. The place has yet to be determined.

9. Executive Session

Motion was made by Member Eric Smith and seconded by Scott Smith to go into executive session for purposes of discussing personnel and legal issues. The board was polled and by unanimous consent of those present the board moved into executive session.

Motion was made by Member Barbara Killpack and seconded by Member Eric Smith to move out of executive session, the board was polled and by unanimous consent, the board moved out of executive session.

Motion to adjourn by Eric Smith. Adjourned at 11:45 am.